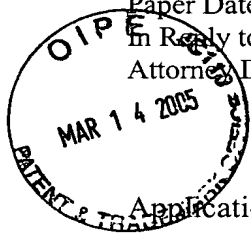


Application No. 09/775,083
Paper Dated: March 10, 2005
In Reply to USPTO Communication, dated January 26, 2005
Attorney Docket No. 218-010137

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895



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/775,083 Confirmation No. : 6320
Applicant : **Fred SMITH**
Filed : February 1, 2001
Title : **COMBINATION FUEL DISPENSING AND LOTTERY
TICKET DISPENSING METHOD AND APPARATUS**
Group Art Unit : 2876
Examiner : Seung H. Lee
Customer No. : 28289

SUGGESTION OF INTERFERENCE

MS AMENDMENT
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

On January 26, 2005, an Office Communication concerning the above-referenced application was received. In particular, this Communication asked that Applicant now comply with the new interference rules (in effect by September 13, 2004), although the present interference was suggested and sought to be invoked as early as August 12, 2002. However, in the interest of working with the Examiner to invoke such interference, hereinafter is a subsequent Suggestion of Interference, which fully complies with the Rules found in 37 C.F.R. § 41.202 *Suggesting an Interference.*

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, Box 1450, Alexandria, VA 22313-1450 on March 10, 2005

Linda C. Seger
(Name of Person Mailing Paper)

Linda C. Seger
Signature

3/10/2005
Date

Presently, the claims in this application stand as follows:

21. A fuel dispensing system comprising:

a fuel dispenser including a customer interface for conducting a transaction including a lottery ticket purchase, a payment acceptor for receiving a payment for the transaction, and a lottery ticket dispenser for dispensing lottery tickets; and

a control system operatively associated with said fuel dispenser and adapted to cause said lottery ticket dispenser in said fuel dispenser to dispense a lottery ticket to a customer in response to receiving the payment for the transaction through said payment acceptor in said fuel dispenser.

22. The fuel dispensing system of claim 21 wherein said payment acceptor comprises a card reader for reading payment information from a customer payment card.

23. The fuel dispensing system of claim 22 wherein the customer payment card is a credit card and said control system is further adapted to communicate with an outside credit authorization network to receive credit authorization for the transaction.

24. The fuel dispensing system of claim 21 wherein said payment acceptor comprises a cash acceptor for receiving a cash payment from the customer.

25. The fuel dispensing system of claim 21 wherein said control system is further adapted to communicate the transaction information related to the purchase of the lottery ticket to a lottery controller.

26. The fuel dispensing system of claim 21 wherein said lottery ticket dispenser in said fuel dispenser is adapted to dispense a plurality of lottery ticket types.

27. The fuel dispensing system of claim 21 wherein said lottery ticket dispenser is adapted to dispense a lottery ticket having customer-selected play numbers and said customer interface in said fuel dispenser is adapted to allow a customer to input said customer-selected play numbers.

28. The fuel dispensing system of claim 21 wherein said lottery ticket dispenser in said fuel dispenser is adapted to dispense a preprinted lottery ticket.

29. The fuel dispensing system of claim 21 wherein said lottery ticket dispenser in said fuel dispenser is adapted to dispense a random-number lottery ticket type.

30. A fuel dispensing system comprising:

a fuel dispenser including a customer interface for conducting a transaction including a lottery ticket purchase and a payment acceptor for receiving a payment for the transaction;

a lottery ticket dispenser associated with said fuel dispenser for dispensing lottery tickets; and

a control system operatively associated with said fuel dispenser and said lottery ticket dispenser and adapted to cause said lottery ticket dispenser to dispense a lottery ticket to

a customer in response to receiving the payment for the transaction through said payment acceptor in said fuel dispenser.

31. A method of selling lottery tickets at a fuel dispenser in conjunction with a fueling transaction comprising:

prompting a customer to conduct a lottery ticket purchase in conjunction with the fueling transactions;

receiving input from the customer regarding the lottery ticket purchase;

conducting the fueling transaction;

effecting payment at said fuel dispenser for a cost associated with the lottery ticket purchase and a cost associated with the fueling transaction; and

dispensing a lottery ticket to the customer corresponding to the lottery ticket purchase.

32. The method of claim 31 wherein said fuel dispenser is adapted to perform said dispensing step.

33. The method of claim 32 wherein a separate lottery ticket dispenser is adapted to perform said dispensing step.

34. The method of claim 33 wherein said fuel dispenser includes a customer interface supporting the input of information by the customer in said receiving step.

35. The method of claim 34 wherein said customer interface supports selection of multiple lottery ticket types, including preprinted number, random number, and customer-selected number lottery ticket types.

36. The method of claim 35 wherein said customer interface of said fuel dispenser is adapted to permit the customer to enter a desired set of play numbers in association with the purchase of a customer-selected number lottery ticket.

37. A fuel dispensing system comprising:

a fuel dispenser including,

a) a customer interface for conducting a transaction, the transaction including a lottery ticket purchase;

b) a payment acceptor for receiving a payment for the transaction;

c) a lottery ticket dispenser for dispensing lottery tickets; and

d) a control system;

said control system adapted to cause said lottery ticket dispenser to dispense a lottery ticket to a customer in response to receiving the payment for the transaction through said payment acceptor in said fuel dispenser.

38. The fuel dispensing system of claim 21, wherein a lottery ticket purchase transaction can only be engaged in after a fuel dispensing transaction has been initiated.

39. The fuel dispensing system of claim 21, wherein the lottery ticket purchase transaction can only be engaged in while fuel is being dispensed from the fuel dispenser.

40. The fuel dispensing system of claim 21, wherein a lottery ticket purchase transaction is authorized by an operator of the control system.

41. The fuel dispensing system of claim 39, wherein the authorization is based upon an age of a customer engaged in the lottery ticket purchase transaction.

42. The method of claim 31, wherein a lottery ticket purchase transaction can only be engaged in after initiating the fuel transaction.

43. The method of claim 31, wherein a lottery ticket purchase transaction can only be engaged in while a consumer is engaged in conducting the fuel transaction step.

44. The method of claim 31, further comprising the step of authorizing a lottery ticket purchase transaction by an operator.

45. The method of claim 44, wherein the authorizing step is based upon an age of the customer.

It should be noted that, in an Amendment, dated April 2, 2004, the undersigned requested that, since claims 38-45 were not copied from U.S. Patent No. 6,634,206 to Keohane, the Examiner indicated that these claims should not be part of the counts in the interference.

Accordingly, Applicant requested, and again requests, that any further action on claims 38-45 be stayed pending the result of the interference proceeding. To the extent further action is required on Applicant's part in order to ensure that further action on claims 38-45 is held in abeyance, the undersigned respectfully requests a communication from the United States Patent and Trademark Office to that effect.

Section 41.202(a)(1)

This *Suggestion of Interference* is directed to U.S. Patent No. 6,634,206 to Keohane (hereinafter the "Keohane patent" or the "'206 patent"). The Keohane patent issued on April 2, 2002, and is based upon Application Serial No. 09/487,796, filed January 19, 2000. Applicant seeks an interference proceeding to be initiated between the Application Serial No. 09/775,083 to Applicant and the '206 patent.

Section 41.202(a)(2)

An interference should be initiated, which should award claims 1-4, 6, 7, 9-12, 31-33, 35-37 and 39 of the Keohane patent to the present Applicant. Proposed interference counts are as follows:

1. The present application contains patentable claim 21. U.S. Patent No. 6,364,206 contains patentable claim 1. If an interference is declared, there will be one count in which claim 21 of the present application and claim 1 of U.S. Patent No. 6,364,206 will be designated to correspond to the count.

2. The present application contains patentable claim 22. U.S. Patent No. 6,364,206 contains patentable claim 2. If an interference is declared, there will be one count in which claim 22 of the present application and claim 2 of U.S. Patent No. 6,364,206 will be designated to correspond to the count.

3. The present application contains patentable claim 23. U.S. Patent No. 6,364,206 contains patentable claim 3. If an interference is declared, there will be one count in which claim 23 of the present application and claim 3 of U.S. Patent No. 6,364,206 will be designated to correspond to the count.

4. The present application contains patentable claim 24. U.S. Patent No. 6,364,206 contains patentable claim 4. If an interference is declared, there will be one count in which claim 24 of the present application and claim 4 of U.S. Patent No. 6,364,206 will be designated to correspond to the count.

5. The present application contains patentable claim 25. U.S. Patent No. 6,364,206 contains patentable claim 6. If an interference is declared, there will be one count in which claim 25 of the present application and claim 6 of U.S. Patent No. 6,364,206 will be designated to correspond to the count.

6. The present application contains patentable claim 26. U.S. Patent No. 6,364,206 contains patentable claim 7. If an interference is declared, there will be one count in which claim 26 of the present application and claim 7 of U.S. Patent No. 6,364,206 will be designated to correspond to the count.

7. The present application contains patentable claim 27. U.S. Patent No. 6,364,206 contains patentable claim 9. If an interference is declared, there will be one count in which claim 27 of the present application and claim 9 of U.S. Patent No. 6,364,206 will be designated to correspond to the count.

8. The present application contains patentable claim 28. U.S. Patent No. 6,364,206 contains patentable claim 10. If an interference is declared, there will be one count in which claim 28 of the present application and claim 10 of U.S. Patent No. 6,364,206 will be designated to correspond to the count.

9. The present application contains patentable claim 29. U.S. Patent No. 6,364,206 contains patentable claim 11. If an interference is declared, there will be one count in which claim 29 of the present application and claim 11 of U.S. Patent No. 6,364,206 will be designated to correspond to the count.

10. The present application contains patentable claim 30. U.S. Patent No. 6,364,206 contains patentable claim 12. If an interference is declared, there will be one count in which claim 30 of the present application and claim 12 of U.S. Patent No. 6,364,206 will be designated to correspond to the count.

11. The present application contains patentable claim 31. U.S. Patent No. 6,364,206 contains patentable claim 31. If an interference is declared, there will be one count in which claim 31 of the present application and claim 31 of U.S. Patent No. 6,364,206 will be designated to correspond to the count.

12. The present application contains patentable claim 32. U.S. Patent No. 6,364,206 contains patentable claim 32. If an interference is declared, there will be one count in which claim 32 of the present application and claim 32 of U.S. Patent No. 6,364,206 will be designated to correspond to the count.

13. The present application contains patentable claim 33. U.S. Patent No. 6,364,206 contains patentable claim 33. If an interference is declared, there will be one count in which claim 33 of the present application and claim 33 of U.S. Patent No. 6,364,206 will be designated to correspond to the count.

14. The present application contains patentable claim 34. U.S. Patent No. 6,364,206 contains patentable claim 35. If an interference is declared, there will be one count in which claim 34 of the present application and claim 35 of U.S. Patent No. 6,364,206 will be designated to correspond to the count.

15. The present application contains patentable claim 35. U.S. Patent No. 6,364,206 contains patentable claim 36. If an interference is declared, there will be one count in which claim 35 of the present application and claim 36 of U.S. Patent No. 6,364,206 will be designated to correspond to the count.

16. The present application contains patentable claim 36. U.S. Patent No. 6,364,206 contains patentable claim 37. If an interference is declared, there will be one count in which claim 36 of the present application and claim 37 of U.S. Patent No. 6,364,206 will be designated to correspond to the count.

17. The present application contains patentable claim 37. U.S. Patent No. 6,364,206 contains patentable claim 39. If an interference is declared, there will be one count in which claim 37 of the present application and claim 39 of U.S. Patent No. 6,364,206 will be designated to correspond to the count.

Section 41.202(a)(3)

| <i>Count</i> | <i>Claims of Keohane Patent</i> | <i>Claims of Application</i> | <i>Why Claims Interfere (Section 41.203(a))</i> |
|--------------|---|--|--|
| 1 | 1. A fuel dispensing system comprising: a fuel dispenser including a customer interface for conducting a transaction including a lottery ticket purchase, a payment acceptor for receiving a payment for the transaction, and a lottery ticket dispenser for dispensing lottery tickets; and a control system operatively associated with said fuel dispenser and adapted to cause said lottery ticket dispenser in said fuel dispenser to dispense a lottery ticket to a customer in response to receiving the payment for the transaction through said payment acceptor in said fuel dispenser. | 21. A fuel dispensing system comprising: a fuel dispenser including a customer interface for conducting a transaction including a lottery ticket purchase, a payment acceptor for receiving a payment for the transaction, and a lottery ticket dispenser for dispensing lottery tickets; and a control system operatively associated with said fuel dispenser and adapted to cause said lottery ticket dispenser in said fuel dispenser to dispense a lottery ticket to a customer in response to receiving the payment for the transaction through said payment acceptor in said fuel dispenser. | If the subject matter of the claim of this Application were prior art, this claim would anticipate the claim of the Keohane patent under 35 U.S.C. § 102. Each and every limitation in the claim of the Keohane patent is found in the corresponding claim of the Application, and is therefore anticipated thereby. |
| 2 | 2. The fuel dispensing system of claim 1 wherein said payment acceptor comprises a card reader for reading payment information from a customer payment card. | 22. The fuel dispensing system of claim 21 wherein said payment acceptor comprises a card reader for reading payment information from a customer payment card. | If the subject matter of the claim of this Application were prior art, this claim would anticipate the claim of the Keohane patent under 35 U.S.C. § 102. Each and every limitation in the claim of the Keohane patent is found in the corresponding claim of the Application, and is therefore anticipated thereby. |

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| 3 | 3. The fuel dispensing system of claim 2 wherein the customer payment card is a credit card and said control system is further adapted to communicate with an outside credit authorization network to receive credit authorization for the transaction. | 23. The fuel dispensing system of claim 22 wherein the customer payment card is a credit card and said control system is further adapted to communicate with an outside credit authorization network to receive credit authorization for the transaction. | If the subject matter of the claim of this Application were prior art, this claim would anticipate the claim of the Keohane patent under 35 U.S.C. § 102. Each and every limitation in the claim of the Keohane patent is found in the corresponding claim of the Application, and is therefore anticipated thereby. |
| 4 | 4. The fuel dispensing system of claim 1 wherein said payment acceptor comprises a cash acceptor for receiving a cash payment from the customer. | 24. The fuel dispensing system of claim 21 wherein said payment acceptor comprises a cash acceptor for receiving a cash payment from the customer. | If the subject matter of the claim of this Application were prior art, this claim would anticipate the claim of the Keohane patent under 35 U.S.C. § 102. Each and every limitation in the claim of the Keohane patent is found in the corresponding claim of the Application, and is therefore anticipated thereby. |
| 5 | 6. The fuel dispensing system of claim 1 wherein said control system is further adapted to communicate the transaction information related to the purchase of the lottery ticket to a lottery controller. | 25. The fuel dispensing system of claim 21 wherein said control system is further adapted to communicate the transaction information related to the purchase of the lottery ticket to a lottery controller. | If the subject matter of the claim of this Application were prior art, this claim would anticipate the claim of the Keohane patent under 35 U.S.C. § 102. Each and every limitation in the claim of the Keohane patent is found in the corresponding claim of the Application, and is therefore anticipated thereby. |
| 6 | 7. The fuel dispensing system of claim 1 wherein said lottery ticket dispenser in said fuel dispenser is adapted to dispense a plurality of lottery ticket types. | 26. The fuel dispensing system of claim 21 wherein said lottery ticket dispenser in said fuel dispenser is adapted to dispense a plurality of lottery ticket types. | If the subject matter of the claim of this Application were prior art, this claim would anticipate the claim of the Keohane patent under 35 U.S.C. § 102. Each and every limitation in the claim of the Keohane patent is found in the corresponding claim of the Application, and is therefore anticipated thereby. |
| 7 | 9. The fuel dispensing system of claim 1 wherein said lottery ticket dispenser is adapted to dispense a lottery ticket having customer-selected play numbers and said customer interface in said fuel dispenser is adapted to allow a customer to input said customer-selected play | 27. The fuel dispensing system of claim 21 wherein said lottery ticket dispenser is adapted to dispense a lottery ticket having customer-selected play numbers and said customer interface in said fuel dispenser is adapted to allow a customer to input said customer- | If the subject matter of the claim of this Application were prior art, this claim would anticipate the claim of the Keohane patent under 35 U.S.C. § 102. Each and every limitation in the claim of the Keohane patent is found in the corresponding claim of the Application, and is therefore anticipated thereby. |

| | numbers. | selected play numbers. | |
|----|---|---|--|
| 8 | 10. The fuel dispensing system of claim 1 wherein said lottery ticket dispenser in said fuel dispenser is adapted to dispense a preprinted lottery ticket type. | 28. The fuel dispensing system of claim 21 wherein said lottery ticket dispenser in said fuel dispenser is adapted to dispense a preprinted lottery ticket. | If the subject matter of the claim of this Application were prior art, this claim would anticipate the claim of the Keohane patent under 35 U.S.C. § 102. Each and every limitation in the claim of the Keohane patent is found in the corresponding claim of the Application, and is therefore anticipated thereby. |
| 9 | 11. The fuel dispensing system of claim 1 wherein said lottery ticket dispenser in said fuel dispenser is adapted to dispense a random-number lottery ticket type. | 29. The fuel dispensing system of claim 21 wherein said lottery ticket dispenser in said fuel dispenser is adapted to dispense a random-number lottery ticket type. | If the subject matter of the claim of this Application were prior art, this claim would anticipate the claim of the Keohane patent under 35 U.S.C. § 102. Each and every limitation in the claim of the Keohane patent is found in the corresponding claim of the Application, and is therefore anticipated thereby. |
| 10 | 12. A fuel dispensing system comprising: a fuel dispenser including a customer interface for conducting a transaction including a lottery ticket purchase and a payment acceptor for receiving a payment for the transaction; a lottery ticket dispenser associated with said fuel dispenser for dispensing lottery tickets; and a control system operatively associated with said fuel dispenser and said lottery ticket dispenser and adapted to cause said lottery ticket dispenser to dispense a lottery ticket to a customer in response to receiving the payment for the transaction through said payment acceptor in said fuel dispenser. | 30. A fuel dispensing system comprising: a fuel dispenser including a customer interface for conducting a transaction including a lottery ticket purchase and a payment acceptor for receiving a payment for the transaction; a lottery ticket dispenser associated with said fuel dispenser for dispensing lottery tickets; and a control system operatively associated with said fuel dispenser and said lottery ticket dispenser and adapted to cause said lottery ticket dispenser to dispense a lottery ticket to a customer in response to receiving the payment for the transaction through said payment acceptor in said fuel dispenser. | If the subject matter of the claim of this Application were prior art, this claim would anticipate the claim of the Keohane patent under 35 U.S.C. § 102. Each and every limitation in the claim of the Keohane patent is found in the corresponding claim of the Application, and is therefore anticipated thereby. |
| 11 | 31. A method of selling | 31. A method of selling | If the subject matter of the claim of |

| | | | |
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| | <p>lottery tickets at a fuel dispenser in conjunction with a fueling transaction comprising:</p> <ul style="list-style-type: none"> prompting a customer to conduct a lottery ticket purchase in conjunction with the fueling transaction; receiving input from the customer regarding the lottery ticket purchase; conducting the fueling transaction; effecting payment at said fuel dispenser for a cost associated with the lottery ticket purchase and a cost associated with the fueling transaction; dispensing a lottery ticket to the customer corresponding to the lottery ticket purchase. | <p>lottery tickets at a fuel dispenser in conjunction with a fueling transaction comprising:</p> <ul style="list-style-type: none"> prompting a customer to conduct a lottery ticket purchase in conjunction with the fueling transactions; receiving input from the customer regarding the lottery ticket purchase; conducting the fueling transaction; effecting payment at said fuel dispenser for a cost associated with the lottery ticket purchase and a cost associated with the fueling transaction; and dispensing a lottery ticket to the customer corresponding to the lottery ticket purchase. | <p>this Application were prior art, this claim would anticipate the claim of the Keohane patent under 35 U.S.C. § 102. Each and every limitation in the claim of the Keohane patent is found in the corresponding claim of the Application, and is therefore anticipated thereby.</p> |
| 12 | 32. The method of claim 31 wherein said fuel dispenser is adapted to perform said dispensing step. | 32. The method of claim 31 wherein said fuel dispenser is adapted to perform said dispensing step. | If the subject matter of the claim of this Application were prior art, this claim would anticipate the claim of the Keohane patent under 35 U.S.C. § 102. Each and every limitation in the claim of the Keohane patent is found in the corresponding claim of the Application, and is therefore anticipated thereby. |
| 13 | 33. The method of claim 32 wherein a separate lottery ticket dispenser is adapted to perform said dispensing step. | 33. The method of claim 32 wherein a separate lottery ticket dispenser is adapted to perform said dispensing step. | If the subject matter of the claim of this Application were prior art, this claim would anticipate the claim of the Keohane patent under 35 U.S.C. § 102. Each and every limitation in the claim of the Keohane patent is found in the corresponding claim of the Application, and is therefore anticipated thereby. |
| 14 | 35. The method of claim 33 wherein said fuel dispenser includes a customer interface supporting the input of information by the customer | 34. The method of claim 33 wherein said fuel dispenser includes a customer interface supporting the input of | If the subject matter of the claim of this Application were prior art, this claim would anticipate the claim of the Keohane patent under 35 U.S.C. § 102. Each and every limitation in |

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| | in said receiving step. | information by the customer in said receiving step. | the claim of the Keohane patent is found in the corresponding claim of the Application, and is therefore anticipated thereby. |
| 15 | 36. The method of claim 35 wherein said customer interface supports selection of multiple lottery ticket types, including preprinted number, random number, and customer-selected number lottery ticket types. | 35. The method of claim 34 wherein said customer interface supports selection of multiple lottery ticket types, including preprinted number, random number, and customer-selected number lottery ticket types. | If the subject matter of the claim of this Application were prior art, this claim would anticipate the claim of the Keohane patent under 35 U.S.C. § 102. Each and every limitation in the claim of the Keohane patent is found in the corresponding claim of the Application, and is therefore anticipated thereby. |
| 16 | 37. The method of claim 36 wherein said customer interface of said fuel dispenser is adapted to permit the customer to enter a desired set of play numbers in association with the purchase of a customer-selected number lottery ticket. | 36. The method of claim 35 wherein said customer interface of said fuel dispenser is adapted to permit the customer to enter a desired set of play numbers in association with the purchase of a customer-selected number lottery ticket. | If the subject matter of the claim of this Application were prior art, this claim would anticipate the claim of the Keohane patent under 35 U.S.C. § 102. Each and every limitation in the claim of the Keohane patent is found in the corresponding claim of the Application, and is therefore anticipated thereby. |
| 17 | 39. A fuel dispensing system comprising: a fuel dispenser including, a) a customer interface for conducting a transaction, the transaction including a lottery ticket purchase; b) a payment acceptor for receiving a payment for the transaction; c) a lottery ticket dispenser for dispensing lottery tickets; and d) a control system; said control system adapted to cause said lottery ticket dispenser to dispense a lottery ticket to a customer in response to receiving the payment for the transaction through said payment acceptor in said fuel dispenser. | 37. A fuel dispensing system comprising: a fuel dispenser including, a customer interface for conducting a transaction, the transaction including a lottery ticket purchase; a payment acceptor for receiving a payment for the transaction; a lottery ticket dispenser for dispensing lottery tickets; and a control system; said control system adapted to cause said lottery ticket dispenser to dispense a lottery ticket to a customer in response to receiving the payment for the transaction through said payment acceptor in said fuel dispenser. | If the subject matter of the claim of this Application were prior art, this claim would anticipate the claim of the Keohane patent under 35 U.S.C. § 102. Each and every limitation in the claim of the Keohane patent is found in the corresponding claim of the Application, and is therefore anticipated thereby. |

Section 41.202(a)(4)

The earliest effective filing date for the Keohane patent is January 19, 2000, which is the filing date of the application underlying the issued patent. The present application was filed on February 1, 2001 and claims priority to Provisional Application Serial No. 60/179,821, filed on February 2, 2000. Applicant conceived of the present invention well before the filing date of the Keohane patent, namely January 19, 2000. The invention was disclosed to Russell D. Orkin of The Webb Law Firm in a telephone call on November 15, 1999. Consequently, in a letter dated November 16, 1999, Mr. Orkin requested that a patentability search be conducted at the Patent and Trademark Office by the search firm of Kramer & Associates. The results of this search were transmitted to The Webb Law Firm together with an invoice for this search on December 4, 1999. The undersigned prepared the underlying provisional patent application, which was subsequently filed on February 2, 2000.

There is a basis upon which Applicant is entitled to Judgment relative to the patentee. Therefore, the undersigned attorney for Applicant hereby declares that there is a basis upon which the Applicant is entitled to a judgment relative to the patentee, since the Applicant conceived of the claimed invention well before the filing date of the Keohane patent. Accordingly, a declaration of interference for claims 21-37 is respectfully requested.

Section 41.202(a)(5)

Claims 1-4, 6, 7, 9-12, 31-33, 35-37 and 39 of the Keohane patent have been copied and added to the present application as claims 21-37 in order to provoke an interference. Accordingly, following is a specific application of each paragraph of the presently published specification (US 2001/0045456 A1) to each of claims 21-37, as copied from the Keohane patent.

For the Examiner's convenience, these paragraphs have been reproduced in italics, and the claims are in bold to more clearly identify the claim components.

21. A fuel dispensing system comprising:

a fuel dispenser including a customer interface for conducting a transaction including a lottery ticket purchase, a payment acceptor for receiving a payment for the transaction, and a lottery ticket dispenser for dispensing lottery tickets; and

[0015] Fig. 1 shows a combination fuel dispensing and lottery ticket dispensing system 10 according to the present invention, which, externally, includes an alphanumeric keypad input 12, a payment input device 14, a dispensing device 24 and a display monitor 16. A consumer, after driving up to a fuel dispensing machine 56 and parking the car, has access to the external components of the system. The combination fuel dispensing and lottery ticket dispensing system 10 is either manufactured together with the fuel dispensing machine 56 or retrofitted into the fuel dispensing machine 56.

a control system operatively associated with said fuel dispenser and adapted to cause said lottery ticket dispenser in said fuel dispenser to dispense a lottery ticket to a customer in response to receiving the payment for the transaction through said payment acceptor in said fuel dispenser.

[0015] Fig. 1 shows a combination fuel dispensing and lottery ticket dispensing system 10 according to the present invention, which, externally, includes an alphanumeric keypad input 12, a payment input device 14, a dispensing device 24 and a display monitor 16. A consumer, after driving up to a fuel dispensing machine 56 and parking the car, has access to the external components of the system. The combination fuel dispensing and lottery

ticket dispensing system 10 is either manufactured together with the fuel dispensing machine 56 or retrofitted into the fuel dispensing machine 56.

[0016] Fig. 2 shows a block diagram illustrating the key features of the present invention, as integrated with the fuel dispensing machine 56 at a service station/convenience store. Each fuel dispensing machine 56 has a stand-alone internal computer controller 18, which may control both a fuel dispensing operation, as well as a lottery ticket selection and dispensing operation. The display 16, the input device 12 and the dispensing device 24 communicate via the computer controller 18. In addition, a lottery controller interface 20 and a fuel controller interface 22 may be provided to facilitate operation of the combination fuel dispensing and lottery ticket dispensing system 10 and/or communication with the computer controller 18.

22. The fuel dispensing system of claim 21 wherein said payment acceptor comprises a card reader for reading payment information from a customer payment card.

[0018] The display monitor 16 is the visual control mechanism, allowing the consumer, through menu-driven software, to interact with the combination fuel dispensing and lottery ticket dispensing system 10. Further, the payment input device 14 accepts credit card information and communicates, via the computer controller 18, with other components in the combination fuel dispensing and lottery ticket dispensing system 10. Finally, once all operations are complete, the dispensing device 24 outputs, if necessary, both lottery tickets and fuel receipts.

[0019] It is envisioned that the payment input device 14 is adapted to accept credit cards, cash or other forms of payment. Further, the alphanumeric keypad input 12 can be a keyboard, touch screen or any other device allowing information to be transferred to the

computer controller 18. The combination fuel dispensing and lottery ticket dispensing system 10 can also include a printing device 25, which is in communication with the computer controller 18. This printing device 25 prints information on an acceptable substrate, e.g., paper or ticket, prior to dispensation through the dispensing device 24. The printing device 25 will print the appropriate customer-selected lottery ticket information on the lottery ticket and/or fuel consumption and payment information in the form of a paper receipt.

23. The fuel dispensing system of claim 22 wherein the customer payment card is a credit card and said control system is further adapted to communicate with an outside credit authorization network to receive credit authorization for the transaction.

[0018] The display monitor 16 is the visual control mechanism, allowing the consumer, through menu-driven software, to interact with the combination fuel dispensing and lottery ticket dispensing system 10. Further, the payment input device 14 accepts credit card information and communicates, via the computer controller 18, with other components in the combination fuel dispensing and lottery ticket dispensing system 10. Finally, once all operations are complete, the dispensing device 24 outputs, if necessary, both lottery tickets and fuel receipts.

[0019] It is envisioned that the payment input device 14 is adapted to accept credit cards, cash or other forms of payment. Further, the alphanumeric keypad input 12 can be a keyboard, touch screen or any other device allowing information to be transferred to the computer controller 18. The combination fuel dispensing and lottery ticket dispensing system 10 can also include a printing device 25, which is in communication with the computer controller 18. This printing device 25 prints information on an acceptable substrate, e.g., paper or ticket, prior to dispensation through the dispensing device 24. The printing device 25 will print the

appropriate customer-selected lottery ticket information on the lottery ticket and/or fuel consumption and payment information in the form of a paper receipt.

24. The fuel dispensing system of claim 21 wherein said payment acceptor comprises a cash acceptor for receiving a cash payment from the customer.

[0018] *The display monitor 16 is the visual control mechanism, allowing the consumer, through menu-driven software, to interact with the combination fuel dispensing and lottery ticket dispensing system 10. Further, the payment input device 14 accepts credit card information and communicates, via the computer controller 18, with other components in the combination fuel dispensing and lottery ticket dispensing system 10. Finally, once all operations are complete, the dispensing device 24 outputs, if necessary, both lottery tickets and fuel receipts.*

[0019] *It is envisioned that the payment input device 14 is adapted to accept credit cards, cash or other forms of payment. Further, the alphanumeric keypad input 12 can be a keyboard, touch screen or any other device allowing information to be transferred to the computer controller 18. The combination fuel dispensing and lottery ticket dispensing system 10 can also include a printing device 25, which is in communication with the computer controller 18. This printing device 25 prints information on an acceptable substrate, e.g., paper or ticket, prior to dispensation through the dispensing device 24. The printing device 25 will print the appropriate customer-selected lottery ticket information on the lottery ticket and/or fuel consumption and payment information in the form of a paper receipt.*

25. The fuel dispensing system of claim 21 wherein said control system is further adapted to communicate the transaction information related to the purchase of the lottery ticket to a lottery controller.

[0020] *As seen in Fig. 2, the combination fuel dispensing and lottery ticket dispensing system 10 communicates with a central control computer 26, via the computer controller 18. The central control computer 26 coordinates and controls each individual combination fuel dispensing and lottery ticket dispensing system 10. In addition, the central control computer 26 is controllable by the clerk or attendant at the service station or convenience store. It is envisioned that the central control computer 26 can coordinate and control incoming and outgoing data from any combination fuel dispensing and lottery ticket dispensing systems 10. The clerk or attendant in the store may monitor the fuel dispensing operation and may observe the customers. Further, the attendant is then able to shut down any combination fuel dispensing and lottery ticket dispensing system 10 that is being used by a customer who appears to be under the age of 18, until they show the appropriate identification.*

26. The fuel dispensing system of claim 21 wherein said lottery ticket dispenser in said fuel dispenser is adapted to dispense a plurality of lottery ticket types, such as a multiple-draw ticket type.

[0024] *However, if the consumer chooses "yes" to the lottery ticket request query step 38, a list of available lottery games is displayed on the display monitor 16. Concurrently with the display, the customer enters his or her choice at the input game request step 40, using the keypad input 12. Next, the combination fuel dispensing and lottery ticket dispensing system 10 proceeds to the requires number select query step 42. This step, processed*

without display on the display monitor 16, returns a "yes" or "no" value according to whether the selected lottery game requires the selection of numbers or not. If no number selection is necessary, a "no" is returned and the another ticket step 44 is reached, displaying on the display monitor 16 such a question. If the consumer desires another ticket, the combination fuel dispensing and lottery ticket dispensing system 10 returns to the input game request step 40, and, if the consumer does not wish another ticket, the combination fuel dispensing and lottery ticket dispensing system 10 proceeds to the complete lottery operation step 52.

27. The fuel dispensing system of claim 21 wherein said lottery ticket dispenser is adapted to dispense a lottery ticket having customer-selected play numbers and said customer interface in said fuel dispenser is adapted to allow a customer to input said customer-selected play numbers.

[0027] If the customer wishes to "pick" his or her own numbers, the combination fuel dispensing and lottery ticket dispensing system 10 enters the input number selection step 48, where the consumer can input, using the keypad input 12, selected values for the lottery tickets. Again, the lottery controller interface 20 communicates with the central control computer 26 using the computer controller 18. The central control computer 26 checks for valid inputs, repeated inputs or transaction canceling commands from the lottery controller interface 20. After verifying and tracking the information, the combination fuel dispensing and lottery ticket dispensing system 10 moves to the another ticket query step 44. As above and as illustrated in Fig. 3, the combination fuel dispensing and lottery ticket dispensing system 10 continues on to the complete lottery operation step 52, to the complete pump operation step 54 and, finally, to the dispensing step 55. The computer control 18 and/or the central control

computer 26 may be responsible for controlling the operation and communications of all the components of the combination fuel dispensing and lottery ticket dispensing system 10.

28. The fuel dispensing system of claim 21 wherein said lottery ticket dispenser in said fuel dispenser is adapted to dispense a preprinted lottery ticket.

[0024] However, if the consumer chooses "yes" to the lottery ticket request query step 38, a list of available lottery games is displayed on the display monitor 16. Concurrently with the display, the customer enters his or her choice at the input game request step 40, using the keypad input 12. Next, the combination fuel dispensing and lottery ticket dispensing system 10 proceeds to the requires number select query step 42. This step, processed without display on the display monitor 16, returns a "yes" or "no" value according to whether the selected lottery game requires the selection of numbers or not. If no number selection is necessary, a "no" is returned and the another ticket step 44 is reached, displaying on the display monitor 16 such a question. If the consumer desires another ticket, the combination fuel dispensing and lottery ticket dispensing system 10 returns to the input game request step 40, and, if the consumer does not wish another ticket, the combination fuel dispensing and lottery ticket dispensing system 10 proceeds to the complete lottery operation step 52.

29. The fuel dispensing system of claim 21 wherein said lottery ticket dispenser in said fuel dispenser is adapted to dispense a random-number lottery ticket type.

[0026] Returning to the requires number select query step 42, if the consumer has selected a lottery game that requires the selection of numbers, the combination fuel dispensing and lottery ticket dispensing system 10 moves to the random query step 46. Again

displaying a choice to the consumer on the display monitor 16, the consumer may choose to use a random number selector or manually enter specific numbers via the input device 12. If the customer decides to allow the combination fuel dispensing and lottery ticket dispensing system 10 to "pick" numbers, the complete randomizer process step 50 randomly picks and assigns numbers for communication from the lottery controller interface 20, via the computer controller 18, to the central control computer 26. After the complete randomizer process 50 finishes and returns values, combination fuel dispensing and lottery ticket dispensing system 10 moves to the another ticket query step 44, continuing as set forth hereinabove.

30. A fuel dispensing system comprising:

a fuel dispenser including a customer interface for conducting a transaction including a lottery ticket purchase and a payment acceptor for receiving a payment for the transaction;

[0015] Fig. 1 shows a combination fuel dispensing and lottery ticket dispensing system 10 according to the present invention, which, externally, includes an alphanumeric keypad input 12, a payment input device 14, a dispensing device 24 and a display monitor 16. A consumer, after driving up to a fuel dispensing machine 56 and parking the car, has access to the external components of the system. The combination fuel dispensing and lottery ticket dispensing system 10 is either manufactured together with the fuel dispensing machine 56 or retrofitted into the fuel dispensing machine 56.

a lottery ticket dispenser associated with said fuel dispenser for dispensing lottery tickets;

[0015] *Fig. 1 shows a combination fuel dispensing and lottery ticket dispensing system 10 according to the present invention, which, externally, includes an alphanumeric keypad input 12, a payment input device 14, a dispensing device 24 and a display monitor 16. A consumer, after driving up to a fuel dispensing machine 56 and parking the car, has access to the external components of the system. The combination fuel dispensing and lottery ticket dispensing system 10 is either manufactured together with the fuel dispensing machine 56 or retrofitted into the fuel dispensing machine 56.*

a control system operatively associated with said fuel dispenser and said lottery ticket dispenser and adapted to cause said lottery ticket dispenser to dispense a lottery ticket to a customer in response to receiving the payment for the transaction through said payment acceptor in said fuel dispenser.

[0015] *Fig. 1 shows a combination fuel dispensing and lottery ticket dispensing system 10 according to the present invention, which, externally, includes an alphanumeric keypad input 12, a payment input device 14, a dispensing device 24 and a display monitor 16. A consumer, after driving up to a fuel dispensing machine 56 and parking the car, has access to the external components of the system. The combination fuel dispensing and lottery ticket dispensing system 10 is either manufactured together with the fuel dispensing machine 56 or retrofitted into the fuel dispensing machine 56.*

[0016] *Fig. 2 shows a block diagram illustrating the key features of the present invention, as integrated with the fuel dispensing machine 56 at a service station/convenience store. Each fuel dispensing machine 56 has a stand-alone internal computer controller 18, which may control both a fuel dispensing operation, as well as a lottery ticket selection and dispensing operation. The display 16, the input device 12 and the dispensing*

device 24 communicate via the computer controller 18. In addition, a lottery controller interface 20 and a fuel controller interface 22 may be provided to facilitate operation of the combination fuel dispensing and lottery ticket dispensing system 10 and/or communication with the computer controller 18.

31. A method of selling lottery tickets at a fuel dispenser in conjunction with a fueling transaction comprising:

prompting a customer to conduct a lottery ticket purchase in conjunction with the fueling transactions;

[0023] As the consumer is dispensing fuel, the display monitor 16 displays the lottery ticket request query step 38, with a "no" answer proceeding to the complete pump operation and process payment step 54. Step 54 finishes the transaction, and processes the payment information. Finally, in step 55, the receipt is printed and dispensed, and, generally, all necessary requirements to terminate a typical fuel dispensing operation are performed.

[0029] This invention has been described with reference to the preferred embodiment, obvious modifications and alterations will occur to others upon reading and understanding the proceeding detailed description. It is intended that the invention be construed as including all such modifications and alterations.

receiving input from the customer regarding the lottery ticket purchase;

[0024] However, if the consumer chooses "yes" to the lottery ticket request query step 38, a list of available lottery games is displayed on the display monitor 16. Concurrently with the display, the customer enters his or her choice at the input game request step 40, using the keypad input 12. Next, the combination fuel dispensing and lottery ticket

dispensing system 10 proceeds to the requires number select query step 42. This step, processed without display on the display monitor 16, returns a "yes" or "no" value according to whether the selected lottery game requires the selection of numbers or not. If no number selection is necessary, a "no" is returned and the another ticket step 44 is reached, displaying on the display monitor 16 such a question. If the consumer desires another ticket, the combination fuel dispensing and lottery ticket dispensing system 10 returns to the input game request step 40, and, if the consumer does not wish another ticket, the combination fuel dispensing and lottery ticket dispensing system 10 proceeds to the complete lottery operation step 52.

conducting the fueling transaction;

[0022] After the process credit card information step 32, or if the consumer answered "no" to the credit card query step 30, the consumer enters the input fuel selection step 34. This step allows the consumer to choose the specific grade of fuel desired, e.g., 89 octane, 93 octane, etc. After the fuel grade is selected, the fuel dispensing machine 56 is activated in the activate fuel dispensing operation step 36. Step 36 controls the start, stoppage and tracking of fuel flow at the fuel pump 56, feeding information to and from the central control computer 26 via the computer controller 18. Typical fuel control operations are envisioned.

effecting payment at said fuel dispenser for a cost associated with the lottery ticket purchase and a cost associated with the fueling transaction; and

[0023] As the consumer is dispensing fuel, the display monitor 16 displays the lottery ticket request query step 38, with a "no" answer proceeding to the complete pump operation and process payment step 54. Step 54 finishes the transaction, and processes the payment information. Finally, in step 55, the receipt is printed and dispensed, and, generally, all necessary requirements to terminate a typical fuel dispensing operation are preformed.

[0024] *However, if the consumer chooses "yes" to the lottery ticket request query step 38, a list of available lottery games is displayed on the display monitor 16. Concurrently with the display, the customer enters his or her choice at the input game request step 40, using the keypad input 12. Next, the combination fuel dispensing and lottery ticket dispensing system 10 proceeds to the requires number select query step 42. This step, processed without display on the display monitor 16, returns a "yes" or "no" value according to whether the selected lottery game requires the selection of numbers or not. If no number selection is necessary, a "no" is returned and the another ticket step 44 is reached, displaying on the display monitor 16 such a question. If the consumer desires another ticket, the combination fuel dispensing and lottery ticket dispensing system 10 returns to the input game request step 40, and, if the consumer does not wish another ticket, the combination fuel dispensing and lottery ticket dispensing system 10 proceeds to the complete lottery operation step 52.*

[0025] *In the complete lottery operation step 52, the combination fuel dispensing and lottery ticket dispensing system 10 utilizes the lottery controller interface 20 to communicate, via the computer controller 18, with the central control computer 26. The central control computer 26 tracks the lottery game selection and communicates with the lottery ticket/receipt printer 25, which prints the lottery tickets appropriately. After pumping is completed, and assuming the customer has selected to purchase lottery tickets, the combination fuel dispensing and lottery ticket dispensing system 10 proceeds to the complete pump operation step 54. At this point, in step 55, both the lottery ticket(s), as well as a combined fuel and lottery ticket receipt, is dispensed through the dispensing device 24.*

[0027] *If the customer wishes to "pick" his or her own numbers, the combination fuel dispensing and lottery ticket dispensing system 10 enters the input number selection step 48,*

where the consumer can input, using the keypad input 12, selected values for the lottery tickets.

Again, the lottery controller interface 20 communicates with the central control computer 26 using the computer controller 18. The central control computer 26 checks for valid inputs, repeated inputs or transaction canceling commands from the lottery controller interface 20. After verifying and tracking the information, the combination fuel dispensing and lottery ticket dispensing system 10 moves to the another ticket query step 44. As above and as illustrated in Fig. 3, the combination fuel dispensing and lottery ticket dispensing system 10 continues on to the complete lottery operation step 52, to the complete pump operation step 54 and, finally, to the dispensing step 55. The computer control 18 and/or the central control computer 26 may be responsible for controlling the operation and communications of all the components of the combination fuel dispensing and lottery ticket dispensing system 10.

dispensing a lottery ticket to the customer corresponding to the lottery ticket purchase.

[0023] As the consumer is dispensing fuel, the display monitor 16 displays the lottery ticket request query step 38, with a "no" answer proceeding to the complete pump operation and process payment step 54. Step 54 finishes the transaction, and processes the payment information. Finally, in step 55, the receipt is printed and dispensed, and, generally, all necessary requirements to terminate a typical fuel dispensing operation are preformed.

[0025] In the complete lottery operation step 52, the combination fuel dispensing and lottery ticket dispensing system 10 utilizes the lottery controller interface 20 to communicate, via the computer controller 18, with the central control computer 26. The central control computer 26 tracks the lottery game selection and communicates with the lottery ticket/receipt printer 25, which prints the lottery tickets appropriately. After pumping is

completed, and assuming the customer has selected to purchase lottery tickets, the combination fuel dispensing and lottery ticket dispensing system 10 proceeds to the complete pump operation step 54. At this point, in step 55, both the lottery ticket(s), as well as a combined fuel and lottery ticket receipt, is dispensed through the dispensing device 24.

[0027] If the customer wishes to "pick" his or her own numbers, the combination fuel dispensing and lottery ticket dispensing system 10 enters the input number selection step 48, where the consumer can input, using the keypad input 12, selected values for the lottery tickets. Again, the lottery controller interface 20 communicates with the central control computer 26 using the computer controller 18. The central control computer 26 checks for valid inputs, repeated inputs or transaction canceling commands from the lottery controller interface 20. After verifying and tracking the information, the combination fuel dispensing and lottery ticket dispensing system 10 moves to the another ticket query step 44. As above and as illustrated in Fig. 3, the combination fuel dispensing and lottery ticket dispensing system 10 continues on to the complete lottery operation step 52, to the complete pump operation step 54 and, finally, to the dispensing step 55. The computer control 18 and/or the central control computer 26 may be responsible for controlling the operation and communications of all the components of the combination fuel dispensing and lottery ticket dispensing system 10.

32. The method of claim 31 wherein said fuel dispenser is adapted to perform said dispensing step.

[0023] As the consumer is dispensing fuel, the display monitor 16 displays the lottery ticket request query step 38, with a "no" answer proceeding to the complete pump operation and process payment step 54. Step 54 finishes the transaction, and processes the

payment information. Finally, in step 55, the receipt is printed and dispensed, and, generally, all necessary requirements to terminate a typical fuel dispensing operation are preformed.

[0025] In the complete lottery operation step 52, the combination fuel dispensing and lottery ticket dispensing system 10 utilizes the lottery controller interface 20 to communicate, via the computer controller 18, with the central control computer 26. The central control computer 26 tracks the lottery game selection and communicates with the lottery ticket/receipt printer 25, which prints the lottery tickets appropriately. After pumping is completed, and assuming the customer has selected to purchase lottery tickets, the combination fuel dispensing and lottery ticket dispensing system 10 proceeds to the complete pump operation step 54. At this point, in step 55, both the lottery ticket(s), as well as a combined fuel and lottery ticket receipt, is dispensed through the dispensing device 24.

[0027] If the customer wishes to "pick" his or her own numbers, the combination fuel dispensing and lottery ticket dispensing system 10 enters the input number selection step 48, where the consumer can input, using the keypad input 12, selected values for the lottery tickets. Again, the lottery controller interface 20 communicates with the central control computer 26 using the computer controller 18. The central control computer 26 checks for valid inputs, repeated inputs or transaction canceling commands from the lottery controller interface 20. After verifying and tracking the information, the combination fuel dispensing and lottery ticket dispensing system 10 moves to the another ticket query step 44. As above and as illustrated in Fig. 3, the combination fuel dispensing and lottery ticket dispensing system 10 continues on to the complete lottery operation step 52, to the complete pump operation step 54 and, finally, to the dispensing step 55. The computer control 18 and/or the central control

computer 26 may be responsible for controlling the operation and communications of all the components of the combination fuel dispensing and lottery ticket dispensing system 10.

33. The method of claim 32 wherein a separate lottery ticket dispenser is adapted to perform said dispensing step.

[0019] It is envisioned that the payment input device 14 is adapted to accept credit cards, cash or other forms of payment. Further, the alphanumeric keypad input 12 can be a keyboard, touch screen or any other device allowing information to be transferred to the computer controller 18. The combination fuel dispensing and lottery ticket dispensing system 10 can also include a printing device 25, which is in communication with the computer controller 18. This printing device 25 prints information on an acceptable substrate, e.g., paper or ticket, prior to dispensation through the dispensing device 24. The printing device 25 will print the appropriate customer-selected lottery ticket information on the lottery ticket and/or fuel consumption and payment information in the form of a paper receipt.

34. The method of claim 33 wherein said fuel dispenser includes a customer interface supporting the input of information by the customer in said receiving step.

[0015] Fig. 1 shows a combination fuel dispensing and lottery ticket dispensing system 10 according to the present invention, which, externally, includes an alphanumeric keypad input 12, a payment input device 14, a dispensing device 24 and a display monitor 16. A consumer, after driving up to a fuel dispensing machine 56 and parking the car, has access to the external components of the system. The combination fuel dispensing and lottery

ticket dispensing system 10 is either manufactured together with the fuel dispensing machine 56 or retrofitted into the fuel dispensing machine 56.

35. The method of claim 34 wherein said customer interface supports selection of multiple lottery ticket types, including preprinted number, random number, and customer-selected number lottery ticket types.

[0024] However, if the consumer chooses "yes" to the lottery ticket request query step 38, a list of available lottery games is displayed on the display monitor 16. Concurrently with the display, the customer enters his or her choice at the input game request step 40, using the keypad input 12. Next, the combination fuel dispensing and lottery ticket dispensing system 10 proceeds to the requires number select query step 42. This step, processed without display on the display monitor 16, returns a "yes" or "no" value according to whether the selected lottery game requires the selection of numbers or not. If no number selection is necessary, a "no" is returned and the another ticket step 44 is reached, displaying on the display monitor 16 such a question. If the consumer desires another ticket, the combination fuel dispensing and lottery ticket dispensing system 10 returns to the input game request step 40, and, if the consumer does not wish another ticket, the combination fuel dispensing and lottery ticket dispensing system 10 proceeds to the complete lottery operation step 52.

[0025] In the complete lottery operation step 52, the combination fuel dispensing and lottery ticket dispensing system 10 utilizes the lottery controller interface 20 to communicate, via the computer controller 18, with the central control computer 26. The central control computer 26 tracks the lottery game selection and communicates with the lottery ticket/receipt printer 25, which prints the lottery tickets appropriately. After pumping is

completed, and assuming the customer has selected to purchase lottery tickets, the combination fuel dispensing and lottery ticket dispensing system 10 proceeds to the complete pump operation step 54. At this point, in step 55, both the lottery ticket(s), as well as a combined fuel and lottery ticket receipt, is dispensed through the dispensing device 24.

[0026] Returning to the requires number select query step 42, if the consumer has selected a lottery game that requires the selection of numbers, the combination fuel dispensing and lottery ticket dispensing system 10 moves to the random query step 46. Again displaying a choice to the consumer on the display monitor 16, the consumer may choose to use a random number selector or manually enter specific numbers via the input device 12. If the customer decides to allow the combination fuel dispensing and lottery ticket dispensing system 10 to "pick" numbers, the complete randomizer process step 50 randomly picks and assigns numbers for communication from the lottery controller interface 20, via the computer controller 18, to the central control computer 26. After the complete randomizer process 50 finishes and returns values, combination fuel dispensing and lottery ticket dispensing system 10 moves to the another ticket query step 44, continuing as set forth hereinabove.

[0027] If the customer wishes to "pick" his or her own numbers, the combination fuel dispensing and lottery ticket dispensing system 10 enters the input number selection step 48, where the consumer can input, using the keypad input 12, selected values for the lottery tickets. Again, the lottery controller interface 20 communicates with the central control computer 26 using the computer controller 18. The central control computer 26 checks for valid inputs, repeated inputs or transaction canceling commands from the lottery controller interface 20. After verifying and tracking the information, the combination fuel dispensing and lottery ticket dispensing system 10 moves to the another ticket query step 44. As above and as

illustrated in Fig. 3, the combination fuel dispensing and lottery ticket dispensing system 10 continues on to the complete lottery operation step 52, to the complete pump operation step 54 and, finally, to the dispensing step 55. The computer control 18 and/or the central control computer 26 may be responsible for controlling the operation and communications of all the components of the combination fuel dispensing and lottery ticket dispensing system 10.

36. The method of claim 35 wherein said customer interface of said fuel dispenser is adapted to permit the customer to enter a desired set of play numbers in association with the purchase of a customer-selected number lottery ticket.

[0027] If the customer wishes to "pick" his or her own numbers, the combination fuel dispensing and lottery ticket dispensing system 10 enters the input number selection step 48, where the consumer can input, using the keypad input 12, selected values for the lottery tickets. Again, the lottery controller interface 20 communicates with the central control computer 26 using the computer controller 18. The central control computer 26 checks for valid inputs, repeated inputs or transaction canceling commands from the lottery controller interface 20. After verifying and tracking the information, the combination fuel dispensing and lottery ticket dispensing system 10 moves to the another ticket query step 44. As above and as illustrated in Fig. 3, the combination fuel dispensing and lottery ticket dispensing system 10 continues on to the complete lottery operation step 52, to the complete pump operation step 54 and, finally, to the dispensing step 55. The computer control 18 and/or the central control computer 26 may be responsible for controlling the operation and communications of all the components of the combination fuel dispensing and lottery ticket dispensing system 10.

37. A fuel dispensing system comprising:

A fuel dispenser including,

- e) a customer interface for conducting a transaction, the transaction including a lottery ticket purchase;**

[0015] Fig. 1 shows a combination fuel dispensing and lottery ticket dispensing system 10 according to the present invention, which, externally, includes an alphanumeric keypad input 12, a payment input device 14, a dispensing device 24 and a display monitor 16. A consumer, after driving up to a fuel dispensing machine 56 and parking the car, has access to the external components of the system. The combination fuel dispensing and lottery ticket dispensing system 10 is either manufactured together with the fuel dispensing machine 56 or retrofitted into the fuel dispensing machine 56.

- f) a payment acceptor for receiving a payment for the transaction;**

[0015] Fig. 1 shows a combination fuel dispensing and lottery ticket dispensing system 10 according to the present invention, which, externally, includes an alphanumeric keypad input 12, a payment input device 14, a dispensing device 24 and a display monitor 16. A consumer, after driving up to a fuel dispensing machine 56 and parking the car, has access to the external components of the system. The combination fuel dispensing and lottery ticket dispensing system 10 is either manufactured together with the fuel dispensing machine 56 or retrofitted into the fuel dispensing machine 56.

- g) a lottery ticket dispenser for dispensing lottery tickets; and**

[0015] Fig. 1 shows a combination fuel dispensing and lottery ticket dispensing system 10 according to the present invention, which, externally, includes an alphanumeric keypad input 12, a payment input device 14, a dispensing device 24 and a display

monitor 16. A consumer, after driving up to a fuel dispensing machine 56 and parking the car, has access to the external components of the system. The combination fuel dispensing and lottery ticket dispensing system 10 is either manufactured together with the fuel dispensing machine 56 or retrofitted into the fuel dispensing machine 56.

h) a control system;

said control system adapted to cause said lottery ticket dispenser to dispense a lottery ticket to a customer in response to receiving the payment for the transaction through said payment acceptor in said fuel dispenser.

[0015] Fig. 1 shows a combination fuel dispensing and lottery ticket dispensing system 10 according to the present invention, which, externally, includes an alphanumeric keypad input 12, a payment input device 14, a dispensing device 24 and a display monitor 16. A consumer, after driving up to a fuel dispensing machine 56 and parking the car, has access to the external components of the system. The combination fuel dispensing and lottery ticket dispensing system 10 is either manufactured together with the fuel dispensing machine 56 or retrofitted into the fuel dispensing machine 56.

[0016] Fig. 2 shows a block diagram illustrating the key features of the present invention, as integrated with the fuel dispensing machine 56 at a service station/convenience store. Each fuel dispensing machine 56 has a stand-alone internal computer controller 18, which may control both a fuel dispensing operation, as well as a lottery ticket selection and dispensing operation. The display 16, the input device 12 and the dispensing device 24 communicate via the computer controller 18. In addition, a lottery controller interface 20 and a fuel controller interface 22 may be provided to facilitate operation of the combination

fuel dispensing and lottery ticket dispensing system 10 and/or communication with the computer controller 18.

Applicant submits that the foregoing application of the specification of the patent application, as originally filed, to the claims copied from the Keohane patent is acceptable in identifying each limitation or element of each copied claim in the present application.

Section 41.202(a)(6)

The present invention was conceived and reduced to practice as set forth above in Section 41.202(a)(4). Further, underlying priority application, namely Application Serial No. 60/179,821, of the presently-pending application was filed on February 2, 2000. Accordingly, the constructive reduction to practice of the present invention occurred by way of this originally-filed provisional patent application, which describes the subject matter of the present invention throughout pages 1-10 of the specification and in Figs. 1-3 of this application. Therefore, the subject matter of the present invention, as well as the subject matter claimed in claims 21-37 of the present application, should be accorded priority as discussed above in Section 41.202(a)(4), and the present invention was fully disclosed in provisional Application Serial No. 60/179,821.


Application No. 09/775,083
Paper Dated: March 10, 2005
In Reply to USPTO Communication, dated January 26, 2005
Attorney Docket No. 218-010137

Summary

The prosecution of the instant application should be suspended in order to invoke the interference. A Declaration of Interference for claims 21-37 of the present application with respect to claims 1-4, 6, 7, 9-12, 31-33, 35-37 and 39 of the Keohane patent is respectfully requested.

Respectfully submitted,

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